

S/N 10/772,555

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	James Smith et al.	Examiner:	Ben Wang
Serial No.:	10/772,555	Group Art Unit:	2192
Filed:	February 5, 2004	Docket:	800.035US1
Customer No.	81244	Confirmation No.:	5526
Title:	IDENTIFYING PROGRAM PHASE CHANGES THROUGH PROGRAM WORKING SET ANALYSIS		

**NOTICE OF APPEAL FROM THE DECISION OF THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with 37 C.F.R. § 41.31(a)(1), Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated June 12, 2009 of the Examiner rejecting claims 1-23 of the above-identified patent application.

It is believe that no extension of time is required. However, if necessary, please charge Deposit Account No. 19-0743.

Please charge the amount of \$270.00 in payment of the Notice of Appeal fee under 37 C.F.R. § 41.20(b)(1), as well as any additional required fees, to Deposit Account No. 19-0743.

Respectfully submitted,

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Date Dec. 14, 2009

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 14th day of December, 2009.

DAWN M. POOLE

Name

Signature